

REMARKS

This Amendment is responsive to the Office Action dated March 22, 2004.

Claims 1-34 were pending in the application. In the Office Action, claims 1, 2, 12, 13, 17, 18, 28, 29 and 32-34 were rejected and claims 3-11, 14-16, 19-27, 30 and 31 were objected to. In this Amendment, claims 12 and 28 have been amended. Claims 1-34 thus remain for consideration.

Applicants submit that claims 1-34 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

In the Specification

Applicants have amended the disclosure by removing the embedded hyperlinks, and therefore request that the objection to the disclosure be withdrawn.

§112 Rejection

Claims 12, 13, 28 and 29 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants have amended claims 12 and 28, and submit that the amendments to claims 12 and 28 render claims 12, 13, 28 and 29 compliant with §112. Accordingly, Applicants request that the rejections under §112 be withdrawn.

§102 Rejections and Claims Objections

Claims 1, 2, 17, 18 and 32-34 were rejected under 35 U.S.C. §102(e) as being anticipated by Wells et al. (U.S. Patent 6,310,915)

Claims 3-11, 14-16, 19-27, 30 and 31 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully submit that the independent claims (claims 1 and 17) are patentable over Wells.

Applicants' invention as recited in the independent claims is directed toward a data processing system and method, which includes a data compression encoder and a data compression decoder. Each of the claims recites "a communications processor operable to store said first parameter data in a data store."

Firstly, Wells neither discloses nor suggests storing the parameter data in a data store. Instead, the parameters/information gathered by the scanner 22 of Wells are passed straight to the encoder 20. Wells discloses how the lookahead buffer 14 may store k compressed pictures which are then analyzed by the scanner and decoded by the decoder 18 prior to being immediately re-encoded by the encoder. Wells neither discloses nor suggests postponing the re-encoding stage to a later time. Indeed, Wells anticipates the transcoding system to be "suitable for the broadcast television environment" (column 15 lines 39-40). The system of Wells would therefore require relatively low latency and would not involve performing the re-encoding at a later stage.

In contrast, the invention of the present application pertains to situations in which the re-encoding is performed at an indeterminate time after the decoding and parameter extraction. This may be due, for example, to various intervening video processes that are to take place (see page 5, lines 5-21). Storing the encoding parameters for later usage provides greater flexibility to the invention of the present application.

Secondly, Wells neither discloses nor suggests that any of the first uncompressed data, the second uncompressed data or the first parameter data are communicated to a data processor or a data compression encoder on request. Indeed, a person skilled in the art of data processing would be led to believe that the encoder of Wells simply re-encodes the data provided to it from the decoder in accordance with how and at what rate the decoder passes it this data. There is no suggestion in Wells that the encoder requests uncompressed data to be passed to it. Further, there is no suggestion in Wells that any of the processing units pass data to another processing unit on request.

In contrast, as described on page 17, lines 8-25 of the present application, a request may be made by a re-encoder to a data repository for the data repository to supply it with stored parameter data. The need for such requests derives from the fact that storage of parameter data is an inherent part of the invention of the present application. As described above, such storage is neither disclosed nor suggested in Wells. A person skilled in the art of data processing would therefore not be motivated to include such requests in the system of Wells.

Thirdly, Wells neither discloses nor suggests a communications processor operable (i) to store parameter data and (ii) to communicate uncompressed data and parameter data on request via a communications apparatus to either a data processor or a compression encoder. This is, in part, because of the reasons given above. However, as Wells is targeted at simply transcoding compressed data streams, there is no need for such a communications processor, as the data flow is relatively simple.

In contrast, the invention of the present application makes use of a communications processor (including, for example, the router 100 in Figure 4) to allow uncompressed data to be transferred between various processing apparatus (such as the cameras 2 and 4, the video tape

recorders 6 and 8 and the logo insertion processor 74). Additionally, the uncompressed data (which may have been processed by a processing apparatus) may be transferred by the communications processor to a re-encoder that re-encodes the uncompressed data. As the re-encoding makes use of the parameter data that was gathered from the initial compressed bit streams, the communications processor needs to be able to store and deliver the parameter data on a request from the re-encoder.

Accordingly, Applicants submit that claims 1 and 17 are patentable over Wells on at least this basis.

Claims 2-16 depend on claim 1. Since claim 1 is believed to be patentable over Wells, claims 2-16 are believed to be patentable over Wells on the basis of their dependency on claim 1.

Claims 18-34 depend on claim 17. Since claim 17 is believed to be patentable over Wells, claims 18-34 are believed to be patentable over Wells on the basis of their dependency on claim 17.

Applicants submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather,

these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.


If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By:


Bruno Polito
Reg. No. 38,580
(212) 588-0800